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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 19 2004

In re: Gust H. Bardy et al. Confirmation No.: 5209  
 Serial No.: 09/940,371 Examiner: K. Mullen  
 Filing Date: August 27, 2001 Group Art Unit: 3762  
 Docket No.: 1201.1109101 Customer No.: 21691  
 For: CERAMICS AND/OR OTHER MATERIAL INSULATED SHELL FOR ACTIVE AND  
 NON-ACTIVE S-ICD CAN

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1)(B))**  
 I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office  
 at 703-872-9306 on the date shown below.

Kathleen L. Boekley  
 Type or print name of person signing certification

Kathleen L. Boekley November 19, 2004  
 Signature Date

Dear Sir:

This paper is in response to the Advisory Action mailed October 6, 2004. The Final Office Action was mailed on May 21, 2004, and the first reply (Amendment After Final) was sent on July 8, 2004. Because the Amendment After Final was mailed within two months of the mailing of the Final Office Action, and the Advisory Action was not mailed until after the three month shortened statutory period for reply to the Final Office Action, the shortened statutory period expired on the date that the Advisory Action was mailed, namely October 6, 2004, and the extension period under 37 CFR 1.136(a) will be calculated from the mailing date of the Advisory Action. As such, Applicants request a two-month extension of time as indicated on the accompanying Fax Transmittal Letter, thus extending the deadline for response to November 21, 2004 (the six month statutory deadline).

Please consider the following amendments and remarks:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.